

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 399 OF 2000

Golden Glades Pvt.Ltd.
and another.

... Appellants.

V/s.

Mrs.Collpita Pereira.

... Respondent.

S.B.Deshmukh for the appellants.

CORAM : A.S.Oka, J.

DATED : 7th March, 2005.

P.C. :

. Heard the learned counsel appearing for the
Appellants.

2. The Appeal is by the original Defendant
Nos.1 and 2 taking exception to the judgment and
order dated 1st April 2000 passed by the trial Court
by which an Application for temporary injunction at
Exh.5 made by the Respondent had been allowed. The
order of injunction is operating against the
Appellants for almost last five years.

3. The impugned order is passed on the prima
facie consideration of the pleadings and the
documentary evidence available on record. The order
being a discretionary order cannot be interfered

with at this stage when the same is operating since
April 2000.

4. There is no merit in the Appeal. Appeal is
dismissed with no order as to costs.

5. It is made clear that the suit, if pending,
will be decided on its own merits without being
influenced by the tentative findings recorded in the
impugned order.

6. All the concerned parties to act on an
authenticated copy of this order.
